

### REMARKS/ARGUMENTS

In view of the foregoing amendments and the following remarks, the applicants respectfully submit that the pending claims comply with 35 U.S.C. § 112, are not anticipated under 35 U.S.C. § 102 and are not rendered obvious under 35 U.S.C. § 103. Accordingly, it is believed that this application is in condition for allowance. If, however, the Examiner believes that there are any unresolved issues, or believes that some or all of the claims are not in condition for allowance, the applicants respectfully request that the Examiner contact the undersigned to schedule a telephone Examiner Interview before any further actions on the merits.

The applicants will now address each of the issues raised in the outstanding Office Action.

#### Rejections under 35 U.S.C. § 112

Claims 46, 50, and 52 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. The applicants respectfully request that the Examiner reconsider and withdraw this ground of rejection in view of the following.

The Examiner contends that these claims contain subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. In particular, the Examiner contends that "adding ... final search research" is new matter that has not been found in

the specification. (See Paper No. 012706, page 2.) Before demonstrating the support for these claims, the applicants assume that the Examiner intended to object to the claimed "adding ... final search *results*", not *research*. Second, since the act of (or means for, or instructions for) adding are only found in claims 47, 48, 50 and 52, the applicants assume that the Examiner intended to reject these claims instead of claims 46, 49 and 51.

In any event, the Examiner indicated that these claims were new matter because the Examiner was unable to find the "adding ... final search result" element in the specification. The applicants respectfully submit that the specification describes the claimed features, and invite the Examiner to review 910, 930 and 940 of Figure 9, 1040 of Figure 10, 940 1430 and 1480 of Figure 14, page 18, line 9, through page 23, last line, and page 35, line 30 through page 38, line 14. As can be appreciated even after a cursory review of just these sections of the application, the claims are described and enabled by the specification. Consequently, the pending claims comply with 35 U.S.C. § 112, paragraph 1. Thus, the applicants respectfully request that the Examiner withdraw this ground of rejection.

#### Double-Patenting Rejections

Claims 46-52 stand rejected on the ground of obviousness-type double patenting as being unpatentable over claims 3 and 14 of U.S. Patent No. 6,615,209 ("the Gomes patent"). Since a terminal disclaimer is filed herewith, this ground of rejection is moot and should

therefore be withdrawn. The filing of the terminal disclaimer simply serves the statutory function of removing the double patenting rejection, and is not to operate as an admission, acquiescence, or estoppel on the merits of the issue of obviousness.

#### Rejections under 35 U.S.C. § 102

Claims 46, 49, and 51 are rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 6,526,400 ("the Takata patent"). The applicants respectfully request that the Examiner reconsider and withdraw this ground of rejection in view of the following.

These claims are not anticipated by the Takata patent because the Takata patent does not teach an act of (or means for, or instructions for) generating a set of final search results from the accepted search results using accepted keyword information (extracted from a query).

The Takata patent concerns image search in which the results of two independently run searches are integrated. More specifically, referring to the Abstract, column 2, lines 43-55, Figure 18, and column 12, line 39 through column 13, line 20, an associative word is determined from an input search request. The first search process generates search results using the associative word. (See, e.g., S4 of Figure 18, as well as Figure 20.) The second search process generates search results using sensory pattern information. (See, e.g., S6 of Figure 18, as well as S61-S64 of Figure 21.) The two results are then integrated into a final result. (See, e.g., S7 of Figure 18 as well as S65-S69 of Figure 21.)

Even assuming, arguendo, that a final set of search results is generated from accepted search results (e.g., the two sets of search results), the final set of search results is not generated from the accepted search results *using the accepted keyword information (extracted from a query)*. Instead, the final set of search results is generated by integrating the two sets of search results. The two sets of search results are integrated "on the basis of *search weights*". (See, e.g., column 15, line 62 through column 16, line 6.) More specifically, "integrated matching levels" of common elements of the two sets of search results are calculated. (See, e.g., column 16, lines 7-35.) Finally, images (e.g., search results) whose integrated matching levels are larger than a predetermined threshold are selected as "integrated search results". (See, e.g., column 16, lines 36-43.)

As can be appreciated from the foregoing, given the initial sets of search results, the Takata patent does not generate a set of final search results from the accepted search results *using the accepted keyword information (which was extracted from a query)*. Accordingly, claims 46, 49 and 51 are not anticipated by the Takata patent for at least the foregoing reason. Therefore, this ground of rejection should be withdrawn.

#### Rejections under 35 U.S.C. § 103

Claims 47, 48, 50 and 52 are rejected under 35 U.S.C. § 103 as being unpatenable over the Takata patent as applied to claims 46, 49, and 51 above, and further in view of US Patent No. 5,634,051 ("the Thomson patent"). The applicants respectfully request that the Examiner

reconsider and withdraw this ground of rejection in view of the following.

The Examiner contends that the Thomson patent teaches a method including determining, using accepted keyword information, whether or not a candidate search result is similar to a search result already in a set of final search results, and if it is determined that the candidate search result is similar to a search result already in a set of final search results, then not adding the candidate search result to a set of final search results (and otherwise adding the candidate search result to the set of final search results). (Paper No. 012706, page 6.) The Examiner further contends that it would have been obvious to combine this purported teaching of the Thomson patent with that of the Takata patent to reduce the amount of time and cost required retrieving relevant results. (Paper No. 012706, page 6.) The applicants respectfully disagree.

First, the purported teachings of the Thomson patent fail to compensate for the deficiencies of the Takata patent discussed above with reference to claims 46, 49 and 51. That is, the Thomson patent neither teaches, nor suggests, a method including determining, using accepted keyword information (that was extracted from a query), a set of final search results. More specifically, although the Thomson patent can remove duplicate documents, either before a search (See, e.g., column 10, lines 8-11.), or after a search (See, e.g., column 10, lines 33-37.), such duplicate documents are detected either by matching information associated with the documents, such as title, authors and date of publication, or by redundant abstracts. (See, e.g., column 10, lines 12-16 and

35-37.) Thus, the Thomson patent neither teaches, nor suggests, *using accepted keyword information (which was extracted from a query)* to determine whether or not a candidate search result is similar to search result already in a set of final search results. Accordingly, claims 47, 48, 50 and 52 are not rendered obvious by the Takata and Thomson patents for at least this reason.

Further, the Takata patent concerns searching images. On the other hand, the Thomson patent concerns textual data. (See, e.g., the Abstract, column 3, lines 21-28, etc.) Consequently, one skilled in the art would not have been motivated to apply the text search techniques of the Thomson patent to the image search system of the Takata patent. Accordingly, claims 47, 48, 50 and 52 are not rendered obvious by the Takata and Thomson patents for at least this additional reason.

#### New claims

New claims 53, 56 and 59 depend from claims 46, 49 and 51, respectively, and further recite (e.g., an act of, means for, or instructions for) extracting query relevant parts of the search results using the accepted keyword information, and (e.g., an act of, means for, or instructions for) generating the set of final search results from the accepted search results using the extracted query relevant parts. New claims 54, 57 and 60 depend from claims 46, 49 and 51, respectively, and are similar to claims 53, 56 and 59, respectively, but further recite that the set of final search results are generated from the accepted search results using "comparisons of" the extracted query relevant parts

These claims are supported, for example, by §§ 4.3.1.1.1 and 4.3.1.1.2 and Figures 10 and 11. These claims further distinguish the claimed invention over the cited art.

New claims 55, 58 and 61 depend from claims 46, 49 and 51, respectively, and further recite that the set of final search results includes Web pages. These claims are support, for example, by page 17, lines 4 and 5. These claims further distinguish the claimed invention over the Takata patent which pertains to image search results.

### Conclusion

In view of the foregoing amendments and remarks, the applicants respectfully submit that the pending claims are in condition for allowance. Accordingly, the applicants request that the Examiner pass this application to issue.

Respectfully submitted,

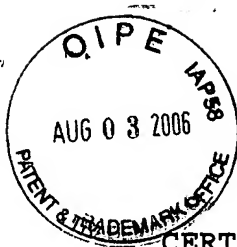
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I hereby certify that this correspondence is being deposited on August 1, 2006 with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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